

LARSON & STEPHENS
810 S. Casino Center Blvd., Suite 104
Las Vegas, Nevada 89101
Tel: (702) 382-1170 Fax: (702) 382-1169

E-File: May 18, 2009

James I. Stang, Esq. (CA Bar No. 94435)
Shirley S. Cho, Esq. (CA Bar No. 192616)
Werner Disse, Esq. (CA Bar No. 143458)
PACHULSKI STANG ZIEHL & JONES LLP
10100 Santa Monica Blvd., 11th Floor
Los Angeles, California 90067-4100
Telephone: 310/277-6910
Facsimile: 310/201-0760
Email: jstang@pszjlaw.com
scho@pszjlaw.com
wdisse@pszjlaw.com

Zachariah Larson, Esq. (NV Bar No. 7787)
LARSON & STEPHENS
810 S. Casino Center Blvd., Ste. 104
Las Vegas, NV 89101
Telephone: 702/382.1170
Facsimile: 702/382.1169
Email: zlarson@lslawnv.com

[Proposed] Attorneys for Debtors and
Debtors in Possession

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

THE RHODES COMPANIES, LLC, aka
"Rhodes Homes, et al.,¹
Debtors.

Case No.: BK-S-09-14814-LBR
(Jointly Administered)

Chapter 11

¹ The Debtors in these cases, along with their case numbers are: Heritage Land Company, LLC (Case No. 09-14778); The Rhodes Companies, LLC (Case No. 09-14814); Tribes Holdings, LLC (Case No. 09-14817); Apache Framing, LLC (Case No. 09-14818); Geronimo Plumbing LLC (Case No. 09-14820); Gung-Ho Concrete LLC (Case No. 09-14822); Bravo, Inc. (Case No. 09-14825); Elkhorn Partners, A Nevada Limited Partnership (Case No. 09-14828); Six Feathers Holdings, LLC (Case No. 09-14833); Elkhorn Investments, Inc. (Case No. 09-14837); Jarupa, LLC (Case No. 09-14839); Rhodes Realty, Inc. (Case No. 09-14841); C & J Holdings, Inc. (Case No. 09-14843); Rhodes Ranch General Partnership (Case No. 09-14844); Rhodes Design and Development Corporation (Case No. 09-14846); Parcel 20, LLC (Case No. 09-14848); Tuscany Acquisitions IV, LLC (Case No. 09-14849); Tuscany Acquisitions III, LLC (Case No. 09-14850); Tuscany Acquisitions II, LLC (Case No. 09-14852); Tuscany Acquisitions, LLC (Case No. 09-14853); Rhodes Ranch Golf Country Club, LLC (Case No. 09-14854); Overflow, LP (Case No. 09-14856); Wallboard, LP (Case No. 09-14858); Jackknife, LP (Case No. 09-14860); Batcave, LP (Case No. 09-14861); Chalkline, LP (Case No. 09-14862); Glynda, LP (Case No. 09-14865); Tick, LP (Case No. 09-14866); Rhodes Arizona Properties, LLC (Case No. 09-14868); Rhodes Homes Arizona, L.L.C. (Case No. 09-14882); Tuscany Golf Country Club, LLC (Case No. 09-14884); and Pinnacle Grading, LLC (Case No. 09-14887).

Affects:



All Debtors



Affects the following Debtor(s)

NOTICE OF ENTRY OF ORDER

TO: ALL INTERESTED PARTIES:

YOU ARE HEREBY NOTICED that an **ORDER GRANTING DEBTORS' MOTION PURSUANT TO SECTIONS 105(A), 363(B) AND 507(A)(8) OF THE BANKRUPTCY CODE AUTHORIZING PAYMENT OF CERTAIN PREPETITION SALES, USE, BUSINESS, AND PERSONAL TAXES** was entered on May 18, 2009. A copy of the Order is attached hereto.

DATED this 18th day of May, 2009.

LARSON & STEPHENS

/s/ Zachariah Larson, Esq.

Zachariah Larson, Bar No. 7787

Kyle O. Stephens, Bar No. 7928

810 S. Casino Center Blvd., Suite 104

Las Vegas, NV 89101

Attorneys for Debtor

LARSON & STEPHENS
810 S. Casino Center Blvd., Suite 104
Las Vegas, Nevada 89101
Tel: (702) 382-1170 Fax: (702) 382-1169



Entered on Docket
May 18, 2009

Hon. Linda B. Riegle
United States Bankruptcy Judge

James L. Stang (CA Bar No. 94435)
Werner Disse (CA Bar No. 143458)
Shirley S. Cho (CA Bar No. 192616)
PACHULSKI STANG ZIEHL & JONES LLP
10100 Santa Monica Blvd., 11th Floor
Los Angeles, California 90067-4100
Telephone: 310/277-6910
Facsimile: 310/201-0760
Email: jstang@pszjlaw.com
scho@pszjlaw.com
wdisse@pszjlaw.com

Zachariah Larson, Esq. (NV Bar No. 7787)
LARSON & STEPHENS
810 S. Casino Center Blvd., Ste. 104
Las Vegas, NV 89101
Telephone: 702/382.1170
Facsimile: 702/382.1169
Email: zlarson@slawny.com

[Proposed] Attorneys for Debtors and
Debtors in Possession

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

Case No.: BK-S-09-14814-LBR
(Jointly Administered)

¹ The Debtors in these cases, along with their case numbers are: Heritage Land Company, LLC (Case No. 09-14778); The Rhodes Companies, LLC (Case No. 09-14814); Trihes Holdings, LLC (Case No. 09-14817); Apache Framing, LLC (Case No. 09-14818); Geranium Plumbing LLC (Case No. 09-14820); Gung-Ho Concrete LLC (Case No. 09-14822); Bravo, Inc. (Case No. 09-14825); Elkhorn Partners, A Nevada Limited Partnership (Case No. 09-14828); Six Feathers Holdings, LLC (Case No. 09-14833); Elkhorn Investments, Inc. (Case No. 09-14837); Jarupa, LLC (Case No. 09-14839); Rhodes Realty, Inc. (Case No. 09-14841); C & J Holdings, Inc. (Case No. 09-14843); Rhodes Ranch General Partnership (Case No. 09-14844); Rhodes Design and Development Corporation (Case No.

1 THE RHODES COMPANIES, LLC, aka
 2 "Rhodes Homes," et al.,¹

Chapter 11

Debtors.

3 Affects:

4 ☐ All Debtors
 5 ☒ Affects the following Debtor(s):
 6 Heritage Land Company, LLC; Tuscany
 7 Acquisitions, LLC; Parcel 20, LLC; Rhodes
 Realty, Inc.; Rhodes Design & Development
 Corporation; Rhodes Ranch GP; Tuscany Golf
 Country Club LLC

Hearing Date: May 15, 2009

Hearing Time: 1:30 p.m.

Courtroom 1

8 **ORDER GRANTING DEBTORS' MOTION PURSUANT TO SECTIONS 105(A), 363(B)**
 9 **AND 507(A)(8) OF THE BANKRUPTCY CODE AUTHORIZING PAYMENT OF**
 10 **CERTAIN PREPETITION SALES, USE, BUSINESS, AND PERSONAL TAXES**

[Re: Docket No. 99]

11 Upon the motion (the "Motion") of the above-captioned debtors and debtors in
 12 possession (the "Debtors"), pursuant to sections 105(a), 363(b) and 507(a)(8) of title 11 of the
 13 United States Code (the "Bankruptcy Code"), for an order authorizing the Debtors to pay certain
 14 prepetition sales and use taxes (the "Taxes") [Docket Number 99] in their sole discretion, and the
 15 Court having jurisdiction to consider the Motion and the relief sought therein pursuant to 28
 16 U.S.C. §§ 157 and 1334; and consideration of the Motion and the relief requested therein being a
 17 core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court
 18 pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion having been
 19 given; and it appearing that no other or further notice need be provided; and the Court having
 20 determined that the relief requested in the Motion being in the best interests of the Debtors and
 21 their respective estates and creditors; and the Court having determined that the legal and factual

22
 23
 24
 25 09-14846); Parcel 20, LLC (Case No. 09-14848); Tuscany Acquisitions IV, LLC (Case No. 09-14849); Tuscany
 26 Acquisitions III, LLC (Case No. 09-14850); Tuscany Acquisitions II, LLC (Case No. 09-14852); Tuscany
 27 Acquisitions, LLC (Case No. 09-14853); Rhodes Ranch Golf Country Club, LLC (Case No. 09-14854); Overflow,
 28 LP (Case No. 09-14856); Wallboard, LP (Case No. 09-14858); Jackknife, LP (Case No. 09-14860); Barcave, LP
 (Case No. 09-14861); Chalkline, LP (Case No. 09-14862); Glynda, LP (Case No. 09-14865); Tick, LP (Case No.
 09-14866); Rhodes Arizona Properties, LLC (Case No. 09-14868); Rhodes Homes Arizona, L.L.C. (Case No. 09-
 14882); Tuscany Golf Country Club, LLC (Case No. 09-14884); and Pinnacle Grading, LLC (Case No. 09-14887).

1 bases set forth in the Motion establish just cause for the relief granted herein; and after due
2 deliberation and sufficient cause appearing therefore,

3 IT IS HEREBY ORDERED that the Motion is granted; and it is further

4 ORDERED that the Debtors are authorized, in their sole discretion, to pay all prepetition
5 Taxes that may be owing to the proper Taxing Authorities (the "Tax Payments") without further
6 order of the Court, provided that the Tax Payments are in accordance with the terms and
7 limitations imposed by the final stipulated order authorizing the use of the cash collateral
8 [Docket Number 126] (the "Stipulated Order"), as well as any limitations imposed pursuant to
9 any budget approved by the Stipulated Order, and it is further

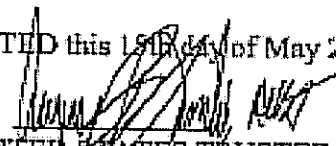
10 ORDERED that nothing in the Motion or this Order shall be construed as impairing the
11 Debtors' right to contest the validity or amount of any Tax that may be due to any Taxing
12 Authority; and it is further

13 ORDERED that notwithstanding any applicability of Bankruptcy Rules 6003(b) and
14 6004(h), the terms and conditions of this Order shall be immediately effective and enforceable
15 upon its entry; and it is further

16 ORDERED that the Court retains jurisdiction to interpret and enforce this Order.

17 APPROVED AS TO FORM AND CONTENT:

18 DATED this 15th day of May 2009.

19 By: 
20 UNITED STATES TRUSTEE
21 August Landis
22 Office of the United States Trustee
23 300 Las Vegas Blvd. S., Ste. 4300
Las Vegas, NV 89101

24 Submitted by:
25 DATED this 15th day of May 2009.

26 By: /s/ Zachariah Larson
27 LARSON & STEPHENS
28 Zachariah Larson, Esq. (NV Bar No 7787)
Kyle O. Stephens, Esq. (NV Bar No. 7928)
810 S. Casino Center Blvd., Ste. 104
Las Vegas, NV 89101

(702) 382-1170 (Telephone)

(702) 382-1169

zlarson@islawnv.com

Proposed Attorney for Debtors

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Tel: (702) 382-1170 Fax: (702) 382-1169

LARSON & STEPHENS
310 S. Casino Center Blvd., Suite 104
Las Vegas, Nevada 89101